4cca-30 REV 230/94CV-00620-REPR A) Notice of Appellate Action) USCA for the Federal Circuit: UNITED STATES DISTRICT COURT X Notice of Filing for the Cross Appeal EASTERN DISTRICT OF VIRGINIA X Interlocutory Appeal at RICHMOND DIVISION Additional NOA Amended NOA Caption: Transmittal of Record USDC, EDVA: ___3:09-CV-00620-Transmittal of Certif. REP ____ ePlus Inc., Supplement to ROA Supplemental Certif. VS Lawson Software, Inc., Other__ Notice of appeal is enclosed to all parties (except to appellant in civil cases); NOA, docket entries, district court opinion and order, and magistrate judge's recommendation (if applicable) are enclosed to 4CCA. 4. Fees ____USA ____Public Defender no fee required 1. NOA filed: 06/21/11 X paid unpaid \$5 filing fee: \$450 docket fee: X paid __unpaid Pauper status: __granted __denied __pending in dist. ct. 2. Amended NOA filed: Does PLRA Apply? Yes X No 3-strikes? Yes X No (If PLRA applies, 4CCA sends forms & acts on application) 5. Materials Under Seal in District Court: X Yes No 3. District Judge: Robert E. Payne 7. Transcript 6. Official Ct. Reporter(s): Diane Daffron, 804-916-2267 In-Court Hearing Held: X Yes No Peppy Peterson, 804-916-267 Gil Halasz, 804-916-2248 8. Criminal/Prisoner Cases recalcitrant witness Contract Court Reporter: ___on death row ___in custody ___on bond Coordinator: ____on probation TRANSMITTAL OF RECORD TO COURT OF APPEALS Part II SUPPLEMENT TO RECORD - SUPPLEMENT #_____ ORIGINAL RECORD Pleadings: Vols._____ Pleadings: Vols._____ Transcript: Vols.____ Transcript: Vols._____ Exhibits: Vols._____ Exhibits: Vols._____ Depositions: Vols._____ Depositions: Vols.____ State Ct. Record: Vols._____ State Ct. Record: Vols._____ Sealed: Vols._____ Sealed: Vols._____ No. of Boxes:____ No. of Boxes: _____

Deputy Clerk: ______ Janice Grant ____ Phone: ______ 804-916-2213 ___ Date: _____ 06/23/2011 ____